

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

Case No. 06-CR-320 (CNC)

*v.*

DAVID R. OLOFSON,

Defendant.

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**MOTION TO ADJOURN TRIAL**

David R. Olofson, by counsel, now moves the Court for an order adjourning the November 19, 2007, trial in this action for a reasonable time to permit (a) further time to explore a possible resolution short of trial; and (b) additional time for the defense to prepare for trial, if that proves necessary.

As further grounds for this motion, Mr. Clay shows as follows:

1. This motion is unopposed by the government;
2. The parties have discussed meeting for the purposes of debriefing and discussing a potential resolution of this case, but due to scheduling conflicts, the parties have not yet been able to meet;
3. Defense counsel has made attempts to investigate potential defenses in this case, including consultation with an expert witness but needs

additional time to complete her investigation and prepare for trial, in case trial is necessary;

4. Counsel of Record, Brian P. Mullins, has taken over a jury trial for Attorney Richard A. Coad in the Western District of Wisconsin. Attorney Coad has left the employ of Federal Defender Services of Wisconsin, Inc. And other attorneys in this office have assumed his caseload. The trial at issue, *United States v. John High*, Case No. 07-CR-0091-C-01, is also scheduled to begin on November 19, 2007.

5. Mr. Olofson is currently out on bond and will not be prejudiced by any reasonable delay here. Further, Mr. Olofson waives his right to have jury trial within the statutory required time under 18 U.S.C. § 3161. His waiver is attached.

WHEREFORE, defendant David R. Olofson requests a reasonable adjournment of the jury trial date to sometime after December 14, 2007.

Dated at Milwaukee, Wisconsin, November 6, 2007

Respectfully submitted,

**/s/ Brian T. Fahl**

Brian T. Fahl, Bar # 1043244

Brian P. Mullins, Bar # 1026891

Counsel for David R. Olofson

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